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6 **UNITED STATES DISTRICT COURT**  
7 **WESTERN DISTRICT OF WASHINGTON**  
8 **AT SEATTLE**

9 UNITED STATES OF AMERICA,

NO. MJ17-295

10 Plaintiff,

11 v.

DETENTION ORDER

12 MICHAEL ANTHONY AVINGER,

13 Defendant.

14  
15 Offenses charged:

16 Count 1: Felon in Possession of a Firearm

17 Count 2: Possession of Methamphetamine with Intent to Distribute

18 Count 3: Possession of a Firearm in Furtherance of a Drug Trafficking Crime

19 Date of Detention Hearing: July 27, 2017

20 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
21 based upon the factual findings and statement of reasons for detention hereafter set forth, finds:

22 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

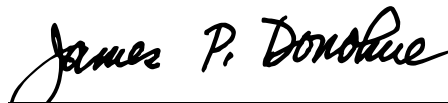
- 23 1. Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that  
24 defendant is a flight risk and a danger to the community based on the nature of  
25 the pending charges. Application of the presumption is appropriate in this case.  
26 2. Defendant has a history of failures to appear.

3. Defendant has a history of non-compliance.
4. The instant charges are substantially similar to those previously committed and for which he was convicted.
5. There are no conditions or combination of conditions other than detention that will reasonably assure the appearance of defendant as required or ensure the safety of the community.

IT IS THEREFORE ORDERED:

1. Defendant shall be detained and shall be committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
2. Defendant shall be afforded reasonable opportunity for private consultation with counsel;
3. On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and
4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 27th day of July, 2017.

  
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JAMES P. DONOHUE  
Chief United States Magistrate Judge